

Enclosure 3

Elk River and Freshwater Creek Channel Modification Scoping Meeting January 12, 2004

On January 12, 2004, staff from the North Coast Regional Water Quality Control Board (Regional Water Board) held the second in a series of meetings in Eureka with staff from a number of local, state and federal agencies to discuss options for potential channel modifications in Elk River and Freshwater Creek.

Agency representatives in attendance were:

- Adona White; Regional Water Board
- Kelley Reid; Army Corp of Engineering
- Chuck Glasgow, Diana Ashton; NOAA-Fisheries
- Michael Wheeler; Humboldt County Planning
- Tom Mattson; Humboldt County Dept. of Public Works, Roads Dept.
- Jimmy Smith; Humboldt County Board of Supervisors
- Mark Wheetley, Michele Gilroy, Mark Stopher, Bill Condon, Gordon Leppig; California Department of Fish and Game
- Jim Watkins; US Fish and Wildlife Service

Background on Channel Modification

In response to ongoing resident complaints of nuisance flooding conditions and associated public health and safety risks in Freshwater and Elk River watersheds and a petition filed by 64 Elk River residents requesting the Regional Board to commence dredging, the Regional Water Board directed staff to evaluate potential channel modification projects, including sediment and debris removal.

In response, Staff coordinated scoping meetings with agencies with jurisdiction, interest, and expertise in potential channel modification projects. The first meeting was held December 2, 2003 and the second on January 12, 2004.

Meeting Summary

Adona provided a summary of the December 2, 2003 meeting and an overview of the December 12, 2003 field visit to Freshwater Creek and Elk River watersheds by Regional Water Board and Army Corps staff. She handed out copies of written overviews of these events, as were previously emailed to the group. She discussed the Regional Water Board's direction to staff in November to evaluate dredging options and in December to evaluate debris removal options. She also handed out a paper by Shields and Gippel, 1995, "Prediction of Effects of Woody Debris Removal on Flow Resistance."

There was discussion about the intent of the December motion relating to debris removal and if they meant willow vegetation or wood debris and in which portion of the watershed. *Adona agreed to send the wording of the December motion to the group.*

Jimmy Smith, mentioned examples of large woody debris removal in Salmon Creek and Freshwater Creek as well as California Conservation Corps clearing of Elk River in the mid 1970s. Adona just copied files from the County Public Works regarding the Elk River clearing near Berta Road. Additionally it was mentioned that Pacific Lumber Company might have done some clearing in salvage THP at Mill C in North Fork Elk River. *Adona agreed to seek information about the Salmon Creek and Freshwater Creek channel clearing and ask PL about the salvage THP at Mill C.*

Tom Mattson suggested that some of the flooding issues in lower Elk River (especially near Berta Road) are related to filled secondary channels in Elk River. He suggested that clearing these secondary channels should be viewed as an option as opposed just pursuing maintenance dredging of the main channel.

The group expressed caution about maintenance dredging due to the anticipated bank erosion and head-cutting sediment releases and that the sediment flush has a high potential to affect Humboldt Bay projects. There was agreement that the impacts to Humboldt Bay must be evaluated as part of any feasibility study. Similarly, the sediment release to the Bay that would occur without any sediment removal should be considered. The Army Corps has dredging sounding records that might be of interest.

The Army Corp partnership program was discussed as one avenue for assistance in a feasibility study. The Regional Water Board could act as the local sponsor to request Army Corps involvement. Specifically the Army Corps CAP Ecosystem Restoration Program under Section 206 appears to potentially be applicable, especially if the project would have fisheries benefits. It was noted that if the project is for ecosystem restoration, the local sponsor's cost share is less, though the overall cap on the project is lower too.

This same program is the mechanism employed in the Salt River project in which Jim Howaels of the in the Army Corps Planning Division is the representative. In the Salt River, previous studies had indicated problem areas and needs, which focused the project on restoration of estuarine habitat, increase in the tidal prism and consideration of waterfowl habitat. The project is looking at all target areas and is intended to achieve a range of benefits.

There was discussion about the Regional Board's need for a feasibility analysis. Adona discussed anticipated features of a feasibility study including the measurement of a longitudinal profile, numerous cross-sections, hydraulic parameters and hydraulic analyses of areas where flooding is an acknowledged problem downstream, perhaps to the Bay, likely using HEC-Ras, an Army Corps model. Such a study is anticipated to be a huge project in terms of technical expertise, field staff resources, and associated cost. Adona outlined potential scenarios by which such a study could be developed. 1) Regional Water Board staff resources for field data collection and hydraulic analyses. 2) Evaluate if the necessary findings exist to require Pacific Lumber Company to conduct or pay for the analyses. 3) Regional Water Board hire a third party consultant to conduct the analyses (unlikely due to budget constraints). 4) Develop a

collaborative process by which Regional Water Board, watershed scientists, residents, and Pacific Lumber Company share the cost and technical expertise required for the analyses. 5) Request the Army Corps to partner and conduct the feasibility analysis which would also satisfy the EIS/EIR evaluation required by NEPA and CEQA.

It was suggested that the Regional Water Board staff develop a list of necessary information that would be included in a feasibility study. *Adona agreed to develop such a list and would circulate it to the group for input.*

Adona told the group she was scheduled to provide a staff report to the Regional Water Board in February, updating them on staff's fact-finding efforts to date. She asked the group about their thoughts on the project and invited them to comment to the Board either in person or in writing.

The county encouraged floating the project as flood reduction and environmental enhancement. Further, it has been acknowledged fairly broadly that there is a plug of sediment and there is a need to identify where it is, how much there is, how long it will take to move through the system and then decisions can be made on how to treat it.

Fish and Game stated that they do not have the responsibility or expertise on domestic water supply or flooding issues but would likely have authority over fish and wildlife permitting. They would likely be supportive if the project were beneficial to fish and wildlife. They pointed out that current fish and game efforts are reducing sediment inputs but acknowledge that time will be required to flush sediment out of the system. They would participate with expertise but not money, especially because rearing habitat is a concern in these watersheds, though no barriers exist.

Questions arose regarding potential involvement by Pacific Lumber Company on PL lands and the interface with their incidental take permit or if an ITP would be required for this activity if it were to affect Coho salmon.

It was suggested that the Regional Water Board staff talk with the NRCS about their Farm Bill money for potential riparian projects, especially in areas where grazing occurs. Adona had previously made contact. *Adona agreed to contact the NRCS about their programs.*

Fish and Wildlife service would be concerned for fisheries impacts as well as riparian areas for birds and amphibians. They support a watershed approach and are interested in evaluation of the range of available alternatives. There are listed plants on Elk River spit and potential for snowy plover.

NMFS is supportive of finding out how the system is functioning.

It was suggested that BLM be invited to the discussions because they have holdings in South Fork Elk River. *Adona agreed to invite BLM to participate in the discussions.*

Questions were raised about evaluating projects in Freshwater Creek as well as Elk River. There was discussion that steelhead, Chinook, and Coho are currently utilizing lower Freshwater, whereas little to no information is available regarding utilization in lower Elk. Additionally, observations indicate habitat conditions are very different. Freshwater appears to have sand and gravel and pools while Elk River has silt and little remaining pool storage. The discussion underscored the need for utilization and habitat surveys in lower Elk River. DFG staff discussed the current shortage in resources and that commencing utilization studies in Elk River is unlikely though important. They mentioned that the Forest and Watershed Management Institute is currently studying Freshwater and we could ask if there is any chance of expanding into Elk River.

Regional Water Board staff agreed to summarize the meeting. Another meeting will be scheduled for February or March.